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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,
12 Plaintiff,

13 v.

14 WES PARKER McDANIEL,
15 Defendant.
16

CASE NO. 1:21-CR-00208-ADA-BAM
PRELIMINARY ORDER OF
FORFEITURE

17 Based upon the plea agreement entered into between the United States of America and defendant
18 Wes Parker McDaniel, it is hereby ORDERED, ADJUDGED, AND DECREED as follows:

19 1. Pursuant to 18 U.S.C. § 844(c)(1), 981(a)(1)(G), 26 U.S.C. § 5872, and 28 U.S.C. §
20 2461(c), defendant Wes Parker McDaniel's interest in the following property shall be condemned and
21 forfeited to the United States of America, to be disposed of according to law:

- 22 a. approximately 10 destructive devices,
23 b. one Mossberg and Sons, Model 142-A, bolt action .22 caliber rifle, and
24 c. any and all ammunition seized in this case.

25 2. The above-listed property constitutes explosive materials involved or used or intended to
26 be used in a violation of 18 U.S.C. § 844(i), property derived from, involved in, or used or intended to be
27 used to commit any federal crime of terrorism (as defined in section 2332b(g)(5)) against the United
28 States, citizens, or residents of the United States, or their property, or a firearm involved in a violation of

1 26 U.S.C. § 5861(f).

2 3. Pursuant to Rule 32.2(b), the Attorney General (or a designee) shall be authorized to seize
3 the above-listed property. The aforementioned property shall be seized and held by the Bureau of
4 Alcohol, Tobacco, Firearms and Explosives, in their secure custody and control.


5 4. a. Pursuant to 28 U.S.C. § 2461(c), incorporating 21 U.S.C. § 853(n), and Local Rule
6 171, the United States shall publish notice of the order of forfeiture. Notice of this Order and notice of
7 the Attorney General's (or a designee's) intent to dispose of the property in such manner as the Attorney
8 General may direct shall be posted for at least thirty (30) consecutive days on the official internet
9 government forfeiture site www.forfeiture.gov. The United States may also, to the extent practicable,
10 provide direct written notice to any person known to have alleged an interest in the property that is the
11 subject of the order of forfeiture as a substitute for published notice as to those persons so notified.

12 b. This notice shall state that any person, other than the defendant, asserting a legal
13 interest in the above-listed property, must file a petition with the Court within sixty (60) days from the
14 first day of publication of the Notice of Forfeiture posted on the official government forfeiture site, or
15 within thirty (30) days from receipt of direct written notice, whichever is earlier.

16 5. If a petition is timely filed, upon adjudication of all third-party interests, if any, this Court
17 will enter a Final Order of Forfeiture pursuant to 18 U.S.C. § 844(c)(1), 981(a)(1)(G), 26 U.S.C. § 5872,
18 and 28 U.S.C. § 2461(c), in which all interests will be addressed.

19
20
21 IT IS SO ORDERED.

22 Dated: November 18, 2022



UNITED STATES DISTRICT JUDGE